

SENATE JOINT RESOLUTION 501

By Beavers

A RESOLUTION to propose an amendment to Article I, Section 21, of the Constitution of Tennessee, relative to the exercise of the power of eminent domain.

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that Article 1, Section 21 of the Constitution of Tennessee be amended by adding the following new paragraph:

The power of eminent domain may be exercised only by the state, the counties and the incorporated cities and towns of the state and may not be exercised by any government authority, government created entity or corporation, private entity, or person. The power of eminent domain may be exercised by the state, the counties and the incorporated cities and towns of the state with the intent to transfer ownership of the property to a public authority or other government entity or to a public utility company regulated by the state for the purposes authorized in this paragraph. The power of eminent domain shall only be exercised for purposes of public roads and streets, public transportation, railways, utilities, government owned and used buildings, and public facilities for the general use of government or its citizens. The power of eminent domain shall not be used for purposes of increasing the tax revenue of a government, including the transfer of condemned land by sale, lease or other means to a private entity for purposes of economic development.

BE IT FURTHER RESOLVED, that the foregoing amendment be referred to the One Hundred Fifth General Assembly and that this resolution proposing such amendment be published by the Secretary of State in accordance with Article XI, Section 3 of the Constitution of Tennessee.

BE IT FURTHER RESOLVED, that the Clerk of the Senate is directed to deliver a copy of this resolution to the Secretary of State.